

7/11/2023 3:00 PM

23CV27457

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

RICHARD D. LONG,

Plaintiff,

v.

3M COMPANY

f/k/a Minnesota Mining and Manufacturing
Company;

A.W. CHESTERTON COMPANY;

AIR & LIQUID SYSTEMS CORPORATION,
individually and as successor-in-interest to
Buffalo Pumps, Inc.;

AMERICAN OPTICAL CORPORATION;

ANCHOR/DARLING VALVE COMPANY;

ARMSTRONG INTERNATIONAL, INC.;

ASBESTOS CORPORATION LIMITED;

BW/IP INC.

and its wholly-owned subsidiaries;

C.H. MURPHY/CLARK-ULLMAN, INC.

individually and as successor in interest to C.H.
Murphy, Inc., and Clark-Ullman, Inc.;

CLARK-RELIANCE LLC

f/k/a Clark-Reliance Corporation and its
Jerguson Gage & Valve Division;

Case No.

COMPLAINT

Product Liability; Negligence

**Amount Pled Over \$50,000.00 - Not
Subject To Mandatory Arbitration**

**Prayer Amount: Between
\$500,000.00 and \$40,000,000.00**

**Filing Fee: \$1,178.00
ORS 21.160(e)**

1 **COPES-VULCAN, INC.;**

2 **CRANE ENVIRONMENTAL, LLC**

3 f/k/a Crane Environmental, Inc.
4 individually and as successor-in-interest to
Cochrane Corporation;

5 **DCO LLC**

6 individually and as successor-in-interest to
Victor Gasket Manufacturing Company;

7 **DEZURIK, INC.;**

8 **ELECTROLUX HOME PRODUCTS, INC.**

9 individually and as successor-in-interest to
Copes-Vulcan;

10 **FEDERAL-MOGUL ASBESTOS PERSONAL
11 INJURY TRUST**

12 as successor to Felt Products Manufacturing
13 Co. and the former Vellumoid Division of Federal-
Mogul Corporation;

14 **FLOWERVE CORPORAION**

15 f/k/a The Duriron Company Inc.;

16 **FLOWERVE US INC.**

17 individually and as successor-in-interest to
Edward Valves, Inc. and Vogt Valve Company;

18 **FMC CORPORATION**

19 on behalf of its former Peerless Pump and
Chicago Pump businesses;

20 **FOSTER WHEELER ENERGY
21 CORPORATION;**

22 **FRYER-KNOWLES, INC.;**

23 **GENERAL ELECTRIC COMPANY;**

24 **GENUINE PARTS COMPANY**

25 d/b/a National Automotive Parts Association
26 (NAPA);

1 **THE GOODYEAR TIRE & RUBBER**
2 **COMPANY;**

3 **GOULDS PUMPS, INCORPORATED;**

4 **GOULDS PUMPS LLC**
5 f/k/a Goulds Pumps Inc.;

6 **HOLLINGSWORTH & VOSE COMPANY;**

7 **HONEYWELL INTERNATIONAL, INC.**
8 individually and as successor-in-interest to
9 Allied Signal, Inc., as successor to Bendix
10 Corporation;

11 **HOPEMAN BROTHERS, INC.;**

12 **IMO INDUSTRIES INC.;**

13 **ITT LLC**
14 f/k/a ITT Corporation, ITT Industries Inc., ITT
15 Fluid Products Corp., Hoffman Specialty Mfg.
16 Corp., Bell and Gossett Company, ITT Marlow,
17 and Kennedy Valve Company;

18 **JOHN CRANE INC.;**

19 **MAR-DUSTRIAL SALES, INC.;**

20 **METALCLAD INSULATION LLC**
21 f/k/a Metalclad Insulation Corporation f/k/a
22 Metalclad Insulation Corporation;

23 **MINE SAFETY APPLIANCES COMPANY,**
24 **LLC;**

25 **MORSE TEC LLC**
26 f/k/a BorgWarner Morse TEC LLC successor-
by-merger to Borg-Warner Corporation;

NATIONAL STEEL AND SHIPBUILDING
COMPANY;

1 **PARAMOUNT GLOBAL**

2 f/k/a ViacomCBS Inc. f/k/a CBS Corporation, a
3 Delaware corporation, f/k/a Viacom, Inc.
4 successor-by-merger to CBS Corporation, a
5 Pennsylvania corporation, f/k/a Westinghouse
6 Electric Corporation;

7 **PARAMOUNT SUPPLY CO.;**

8 **PNEUMO ABEX LLC**

9 individually and as successor-in-interest to
10 Abex Corporation;

11 **REDCO CORPORATION**

12 f/k/a Crane Co., individually and as successor-
13 in-interest to Pacific Steel Boiler Co.;

14 **REINZ WISCONSIN GASKET LLC**

15 f/k/a or as successor to Reinz Wisconsin
16 Gasket Company, Wisconsin Gasket &
17 Manufacturing Company (a Delaware
18 corporation), and Wisconsin Gasket &
19 Manufacturing Co. (a Wisconsin corporation);

20 **SCHNEIDER ELECTRIC SYSTEMS USA,
21 INC. f/k/a Invensys Systems, Inc.;**

22 **UNIROYAL HOLDING, INC.**

23 f/k/a U.S. Rubber Company, Inc.;

24 **VALVES AND CONTROLS US, INC.**

25 f/k/a Weir Valves & Controls USA Inc. d/b/a
26 Atwood & Morrill Co., Inc.;

VELAN VALVE CORP.;

VELLUMOID, INC.;

VIAD CORP.

f/k/a The Dial Corporation,
individually and as successor-in-interest to
Griscom-Russell Company;

VIKING PUMP, INC.;

1 **WARREN PUMPS LLC;**
2 **THE WILLIAM POWELL COMPANY,**
3 Defendants.
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8 Plaintiff alleges that at all material times:

9 **FIRST CLAIM FOR RELIEF**
10 **Product Liability**

11 1.

12 Plaintiff Richard D. Long ("Plaintiff") is an Oregon resident.

13 2.

14 Each of the following Defendants conducted regular, sustained, and not isolated
15 business activity in the State of Oregon:

16 (a) Defendant, **3M COMPANY** (*f/k/a* Minnesota Mining and Manufacturing Company),
17 was and is a Delaware corporation with its principal place of business in Minnesota, and
18 was engaged in the sale, production, manufacturing, and distribution of respiratory
19 protection incapable of protecting individuals from asbestos fibers which it marketed to
20 prevent asbestos exposure including, but not limited to, 3M masks and other asbestos-
21 containing products.

22 (b) Defendant, **A.W. CHESTERTON COMPANY**, was and is a Massachusetts
23 corporation with its principal place of business in Massachusetts, and was engaged in
24 the sale, production, manufacturing, and distribution of products, materials, or
25 equipment, including, but not limited to, asbestos-containing cloth, gaskets and packing
26 material.

1 (c) Defendant, **AIR & LIQUID SYSTEMS CORPORATION** (*individually and as*
2 *successor-in-interest to Buffalo Pumps, Inc.*), was and is a Pennsylvania corporation with
3 its principal place of business in Pennsylvania, and engaged in the sale, production,
4 manufacturing, and distribution of products, materials, or equipment, including, but not
5 limited to, asbestos-containing Buffalo pumps.

6 (d) Defendant, **AMERICAN OPTICAL CORPORATION**, was and is a Delaware
7 corporation with its principal place of business in Massachusetts, and was engaged in
8 the sale, production, manufacturing, and distribution of respiratory protection incapable
9 of protecting individuals from asbestos fibers which it marketed to prevent asbestos
10 exposure including, but not limited to, American Optical masks, respirators and other
11 asbestos-containing products.

12 (e) Defendant, **ANCHOR/DARLING VALVE COMPANY**, was and is a Pennsylvania
13 corporation with its principal place of business in Texas, and was engaged in the sale,
14 production, manufacturing, and distribution of products, materials, or equipment,
15 including, but not limited to, asbestos-containing Darling valves.

16 (f) Defendant, **ARMSTRONG INTERNATIONAL, INC.**, was and is a Michigan
17 corporation with its principal place of business in Michigan, and was engaged in the sale,
18 production, manufacturing, and distribution of products, materials, or equipment,
19 including, but not limited to, asbestos-containing Armstrong steam traps and strainers.

20 (g) Defendant, **ASBESTOS CORPORATION LIMITED**, was and is a Canadian
21 corporation with its principal place of business in Canada, and was engaged in the sale,
22 production, manufacturing, and distribution of products, materials, or equipment,
23 including, but not limited to, asbestos-containing asbestos fibers and products resulting
24 from use of the fiber.

1 (h) Defendant, **BW/IP INC.** (*and its wholly-owned subsidiaries*), was and is a Delaware
2 corporation with its principal place of business in Texas, and was engaged in the sale,
3 production, manufacturing, and distribution of products, materials, or equipment,
4 including, but not limited to, asbestos-containing Byron Jackson pumps.

5 (i) Defendant, **C.H. MURPHY/CLARK-ULLMAN, INC.**, individually and as successor
6 in interest to C.H. Murphy and Clark-Ullman, Inc. was and is an Oregon corporation with its
7 principal place of business in Oregon and was engaged in the sale, production,
8 manufacturing, and distribution of products, materials, or equipment, including, but not
9 limited to, asbestos-containing insulation, gasket, cloth, packing, and refractory
10 products.

11 (j) Defendant, **CLARK-RELIANCE LLC** (*f/k/a Clark-Reliance Corporation and its*
12 *Jerguson Gage & Valve Division*), was and is a Delaware limited liability company with
13 its principal place of business in Ohio, and was engaged in the sale, production,
14 manufacturing, and distribution of products, materials, or equipment, including, but not
15 limited to, asbestos-containing Jerguson valves, boilers, gauges and valve glasses.

16 (k) Defendant, **COPEs-VULCAN, INC.**, was and is a Delaware corporation with its
17 principal place of business in Pennsylvania, and was engaged in the sale, production,
18 manufacturing, and distribution of products, materials, or equipment, including, but not
19 limited to, asbestos-containing Vulcan blowers and valves.

20 (l) Defendant, **CRANE ENVIRONMENTAL, LLC** (*f/k/a Crane Environmental Inc.*
21 *individually and as successor-in-interest to Cochrane Corporation*), was and is an
22 Delaware limited liability company with its principal place of business in Florida, and was
23 engaged in the sale, production, manufacturing, and distribution of products, materials,
24 or equipment, including, but not limited to, asbestos-containing Cochran feed tanks and
25 pumps.
26

1 (m) Defendant, **DCO LLC** (*individually and as successor-in-interest to Victor Gasket*
2 *Manufacturing Company*), was and is an Virginia limited liability company with its
3 principal place of business in Tennessee, and was engaged in the sale, production,
4 manufacturing, and distribution of products, materials, or equipment, including, but not
5 limited to, asbestos-containing Victor gaskets.

6 (n) Defendant, **DEZURIK, INC.**, was and is a Delaware corporation with its principal
7 place of business in Minnesota, and was engaged in the sale, production,
8 manufacturing, and distribution of products, materials, or equipment, including, but not
9 limited to, asbestos-containing Vulcan blowers and valves.

10 (o) Defendant, **ELECTROLUX HOME PRODUCTS, INC.** (*individually and as*
11 *successor-in-interest to Copes-Vulcan*), was and is a Delaware corporation with its
12 principal place of business in North Carolina, and was engaged in the sale, production,
13 manufacturing, and distribution of products, materials, or equipment, including, but not
14 limited to, asbestos-containing Vulcan soot blowers.

15 (p) Defendant, **FEDERAL-MOGUL ASBESTOS PERSONAL INJURY TRUST** (*as*
16 *successor to Felt Products Manufacturing Co. and the former Vellumoid Division of*
17 *Federal-Mogul Corporation*), was and is a Delaware statutory trust with its principal place
18 of business in Delaware, and was engaged in the sale, production, manufacturing, and
19 distribution of products, materials, or equipment, including, but not limited to, asbestos-
20 containing Fel-Pro gaskets and Vellumoid gaskets.

21 (q) Defendant, **FLOWERVE CORPORATION** (*f/k/a The Durion Company, Inc.*), was
22 and is a New York corporation with its principal place of business in Texas, and was
23 engaged in the sale, production, manufacturing, and distribution of products, materials,
24 or equipment, including, but not limited to, asbestos-containing Duriron pumps and
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1 Durco pumps and valves. ORPORATION arise out of this Defendant's business
2 activities in the State of Oregon.

3 (r) Defendant, **FLOWSERVE US INC.** (*individually and as successor-in-interest to*
4 *Edward Valves, Inc. and Vogt Valve Company*), was and is a Delaware corporation with its
5 principal place of business in Texas, and was engaged in the sale, production,
6 manufacturing, and distribution of products, materials, or equipment, including, but not
7 limited to, asbestos-containing Edward valves and Vogt valves.

8 (s) Defendant, **FMC CORPORATION** (*on behalf of its former Peerless Pump and*
9 *Chicago Pump businesses*), was and is a Pennsylvania corporation with its principal place
10 of business in Pennsylvania, and was engaged in the sale, production, manufacturing,
11 and distribution of products, materials, or equipment, including, but not limited to,
12 asbestos-containing Peerless pumps and Chicago pumps, as well as a manufacturer of
13 asbestos-containing ships.

14 (t) Defendant, **FOSTER WHEELER ENERGY CORPORATION**, was and is a
15 Delaware corporation with its principal place of business in New Jersey, and was
16 engaged in the sale, production, manufacturing, and distribution of products, materials,
17 or equipment, including, but not limited to, asbestos-containing Foster Wheeler boilers.

18 (u) Defendant, **FRYER-KNOWLES, INC.**, was and is a Washington corporation with
19 its principal place of business in Washington, and was engaged in the sale, production,
20 manufacturing, and distribution of products, materials, or equipment, including, but not
21 limited to, asbestos-containing flooring and decking.

22 (v) Defendant, **GENERAL ELECTRIC COMPANY**, was and is a New York
23 corporation with its principal place of business in Massachusetts, and was engaged in
24 the sale, production, manufacturing, and distribution of products, materials, or
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1 equipment, including, but not limited to, asbestos-containing General Electric generators
2 and turbines.

3 (w) Defendant, **GENUINE PARTS COMPANY** (d/b/a National Automotive Parts
4 Association (NAPA)), was and is a Georgia corporation with its principal place of
5 business in Georgia, and was engaged in the sale, production, manufacturing, and
6 distribution of products, materials, or equipment, including, but not limited to, asbestos-
7 containing friction products and Raylock brakes.

8 (x) Defendant, **THE GOODYEAR TIRE & RUBBER COMPANY**, was and is an Ohio
9 corporation with its principal place of business in Ohio, and was engaged in the sale,
10 production, manufacturing, and distribution of products, materials, or equipment,
11 including, but not limited to, asbestos-containing Durabla gaskets.

12 (y) Defendant, **GOULDS PUMPS, INCORPORATED**, was and is a Delaware
13 corporation with its principal place of business in Connecticut, and was engaged in the
14 sale, production, manufacturing, and distribution of products, materials, or equipment,
15 including, but not limited to, asbestos-containing Goulds pumps.

16 (z) Defendant, **GOULDS PUMPS LLC** (f/k/a Goulds Pumps Inc.), was and is a
17 Delaware limited liability company with its principal place of business in Connecticut, and
18 was engaged in the sale, production, manufacturing, and distribution of products,
19 materials, or equipment, including, but not limited to, asbestos-containing Goulds
20 pumps.

21 (aa) Defendant, **HOLLINGSWORTH & VOSE COMPANY**, was and is a
22 Massachusetts corporation with its principal place of business in Massachusetts, and
23 was engaged in the sale, production, manufacturing, and distribution of products,
24 materials, or equipment, including, but not limited to, asbestos-containing gasket paper
25 to Fel-Pro and Victor.
26

1 (bb) Defendant, **HONEYWELL INTERNATIONAL, INC.** (*individually and as successor-*
2 *in-interest to Allied Signal, Inc. as successor to Bendix Corporation*), was and is a Delaware
3 corporation with its principal place of business in North Carolina, and was engaged in the
4 sale, production, manufacturing, and distribution of products, materials, or equipment,
5 including, but not limited to, asbestos-containing Bendix brakes.

6 (cc) Defendant, **HOPEMAN BROTHERS, INC.**, was and is a Virginia corporation with
7 its principal place of business in Virginia, and was engaged in the sale, production,
8 manufacturing, and distribution of products, materials, or equipment, including, but not
9 limited to, asbestos-containing Asbestos Marinite & Micarta board.

10 (dd) Defendant, **IMO INDUSTRIES INC.**, was and is a Delaware corporation with its
11 principal place of business in New Jersey, and was engaged in the sale, production,
12 manufacturing, and distribution of products, materials, or equipment, including, but not
13 limited to, asbestos-containing DeLaval pumps and turbines.

14 (ee) Defendant, **ITT LLC** (*f/k/a ITT Corporation, ITT Industries Inc., ITT Fluid*
15 *Products Corp., Hoffman Specialty Mfg. Corp., Bell and Gossett Company, ITT Marlow,*
16 *and Kennedy Valve Company*), was and is an Indiana limited liability company with its
17 principal place of business in Connecticut, and was engaged in the sale, production,
18 manufacturing, and distribution of products, materials, or equipment, including, but not
19 limited to, asbestos-containing Bell and Gossett pumps and valves, Foster valves and
20 Kennedy valves.

21 (ff) Defendant, **JOHN CRANE INC.**, was and is a Delaware corporation with its
22 principal place of business in Illinois, and was engaged in the sale, production,
23 manufacturing, and distribution of products, materials, or equipment, including, but not
24 limited to, asbestos-containing gaskets and packing products.
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1 (gg) **MARDUSTRIAL SALES, INC.**, was and is an Oregon corporation with its
2 principal place of business in Oregon and was engaged in the sale, production,
3 manufacturing, and distribution of products, materials, or equipment, including, but not
4 limited to, Garlock gasket and packing materials.

5 (hh) Defendant, **METALCLAD INSULATION LLC** (*f/k/a* Metalclad Insulation
6 Corporation), was and is a Delaware limited liability company with its principal place of
7 business in California, and was engaged in the sale, production, manufacturing, and
8 distribution of products, materials, or equipment, including, but not limited to, the
9 installation and removal of asbestos-containing thermal insulation and materials.

10 (ii) Defendant, **MINE SAFETY APPLIANCES COMPANY, LLC**, was and is a
11 Pennsylvania limited liability company with its principal place of business in
12 Pennsylvania, and was engaged, directly or indirectly, in the business of mining,
13 designing, manufacturing, processing, importing, converting, compounding, supplying,
14 installing, replacing, repairing, using, and/or retailing respiratory protection incapable of
15 protecting individuals from asbestos fibers which it marketed to prevent asbestos
16 exposure including, but not limited to, MSA masks, respirators and other asbestos-
17 containing products.

18 (jj) Defendant, **MORSE TEC LLC** (*f/k/a* BorgWarner Morse TEC LLC *successor-by-*
19 *merger to* Borg-Warner Corporation), was and is a Delaware limited liability company
20 with its principal place of business in Michigan, and was engaged in the sale, production,
21 manufacturing, and distribution of products, materials, or equipment, including, but not
22 limited to, asbestos-containing BorgWarner brakes, clutches, and transmission plates.

23 (kk) Defendant, **NATIONAL STEEL AND SHIPBUILDING COMPANY**, was and is a
24 Nevada corporation with its principal place of business in California, and was engaged in
25
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the sale, production, manufacturing, and distribution of products, materials, and/or equipment, including, but not limited to, asbestos-containing ships.

(ll) Defendant, **PARAMOUNT GLOBAL** (*f/k/a ViacomCBS Inc. f/k/a CBS Corporation, a Delaware corporation, f/k/a Viacom, Inc. successor-by-merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation*), was and is a Delaware corporation with its principal place of business in New York, and was engaged in the sale, production, manufacturing, and distribution of products, materials, or equipment, including, but not limited to, asbestos-containing Westinghouse blowers, turbines and ship service generators.

(mm) Defendant, **PARAMOUNT SUPPLY COMPANY**, was and is an Oregon corporation with its principal place of business in Oregon and was engaged in the sale, production, manufacturing, and distribution of products, materials, or equipment, including, but not limited to, asbestos-containing pipe, valves, fittings, gaskets, packing, and steam specialty products.

(nn) Defendant, **PNEUMO ABEX LLC** (*individually and as successor-in-interest to Abex Corporation*), was and is a Delaware limited liability company with its principal place of business in Texas, and was engaged in the sale, production, manufacturing, and distribution of products, materials, or equipment, including, but not limited to, asbestos-containing friction products such as brakes and clutches.

(oo) Defendant, **REDCO CORPORATION** (*f/k/a Crane Co. individually and as successor-in-interest to Pacific Steel Boiler Co. and National-U.S. Radiator Corp.*), was and is a Delaware corporation with its principal place of business in Connecticut, and was engaged in the sale, production, manufacturing, and distribution of products, materials, or equipment, including, but not limited to, asbestos-containing Crane feed tanks, pumps and valves, Cranite gaskets, Chapman valves, Chempump pumps and

1 valves, Cochrane feed tanks and pumps, Deming pumps, Jenkins valves, Stockham
2 valves and Pacific boilers.

3 (pp) Defendant, **REINZ WISCONSIN GASKET LLC** (*f/k/a or as successor to Reinz*
4 *Wisconsin Gasket Company, Wisconsin Gasket & Manufacturing Company (a Delaware*
5 *corporation), and Wisconsin Gasket & Manufacturing Co. (a Wisconsin corporation)*),
6 was and is a Delaware limited liability company with its principal place of business in
7 Wisconsin, and was engaged in the sale, production, manufacturing, and distribution of
8 products, materials, or equipment, including, but not limited to, asbestos-containing
9 Reinz gaskets.

10 (qq) Defendant, **SCHNEIDER ELECTRIC SYSTEMS USA, INC.** (*f/k/a Invensys*
11 *Systems, Inc.*), was and is a Massachusetts corporation with its principal place of
12 business in Massachusetts, and was engaged in the sale, production, manufacturing,
13 and distribution of products, materials, or equipment, including, but not limited to,
14 asbestos-containing Foxboro valves.

15 (rr) Defendant, **UNIROYAL HOLDING, INC.** (*f/k/a U. S. Rubber Company, Inc.*), was
16 and is a New Jersey corporation with its principal place of business in Connecticut, and
17 was engaged in the sale, production, manufacturing, and distribution of products,
18 materials, or equipment, including, but not limited to, asbestos-containing blankets.

19 (ss) Defendant, **VALVES AND CONTROLS US, INC.** (*f/k/a Weir Valves & Controls*
20 *USA Inc. d/b/a Atwood & Morrill Co., Inc.*), was and is a Texas corporation with its
21 principal place of business in Oregon and was engaged in the sale, production,
22 manufacturing, and distribution of products, materials, or equipment, including, but not
23 limited to, asbestos-containing Atwood & Morrill valves.

24 (tt) Defendant, **VELAN VALVE CORP.**, was and is a Delaware corporation with its
25 principal place of business in Vermont, and was engaged in the sale, production,
26

1 manufacturing, and distribution of products, materials, or equipment, including, but not
2 limited to, asbestos-containing Velan valves and steam traps.

3 (uu) Defendant, **VELLUMOID, INC.**, was and is a North Carolina corporation with its
4 principal place of business in Massachusetts, and was engaged in the sale, production,
5 manufacturing, and distribution of products, materials, or equipment, including, but not
6 limited to, asbestos-containing Vellumoid gaskets.

7 (vv) Defendant, **VIAD CORP** (*f/k/a* The Dial Corporation, *individually and as*
8 *successor-in-interest to* Griscom-Russell Company), was and is a Delaware corporation
9 with its principal place of business in Arizona, and was engaged in the sale, production,
10 manufacturing, and distribution of products, materials, or equipment, including, but not
11 limited to, asbestos-containing Griscom-Russell distilling plants and fuel oil heaters.

12 (ww) Defendant, **VIKING PUMP, INC.**, was and is a Delaware corporation with its
13 principal place of business in Iowa, and was engaged in the sale, production,
14 manufacturing, and distribution of products, materials, or equipment, including, but not
15 limited to, asbestos-containing Viking pumps.

16 (xx) Defendant, **WARREN PUMPS LLC**, was and is a Delaware limited liability
17 company with its principal place of business in Massachusetts, and was engaged in the
18 sale, production, manufacturing, and distribution of products, materials, or equipment,
19 including, but not limited to, asbestos-containing Warren pumps.

20 (yy) Defendant, **THE WILLIAM POWELL COMPANY**, was and is an Ohio corporation
21 with its principal place of business in Ohio, and was engaged in the sale, production,
22 manufacturing, and distribution of products, materials, or equipment, including, but not
23 limited to, asbestos-containing Powell valves.

24 ///

25 ///

3.

At all material times, Defendants regularly engaged in manufacturing, marketing, selling, distributing, applying, installing, and/or rebranding asbestos-containing materials and products.

4.

Plaintiff has contracted mesothelioma from exposure to asbestos and asbestos-containing products.

5.

Mesothelioma is a disease with no cure that will eventually kill Plaintiff.

6.

During his work history, Plaintiff Richard D. Long was exposed to asbestos from Defendants' products through his work as a laborer and foreman from approximately the early 1970s to early 2000s, on various ships located at, and in, shipyards in Oregon. Plaintiff performed a variety of tasks throughout his worksites, which included but are not limited to, removal of asbestos-containing insulation on pipes, working on boilers in ship engineering spaces, removing and replacing packing and gasket materials on pumps and other equipment, including but not limited to steamtraps, valves, and turbines. Plaintiff further performed welding, pipefitting, and mechanical work. All of these activities exposed Plaintiff to asbestos and asbestos dust and fibers.

7.

During his work history, Plaintiff was further exposed through his work around other trades including carpenters, mechanics, pipefitters, boilermakers, insulators, and electricians. Plaintiff worked near, with, and closely to, a variety of tradesmen working

1 on asbestos-containing pipe insulation, turbines, boilers, generators, valves, steam
2 traps, pumps, furnaces, and other equipment, as well as tradesmen mixing, cutting,
3 repairing, installing and removing asbestos-containing insulation, materials and other
4 products. All these activities exposed Plaintiff to asbestos and asbestos-dust.
5

6 8.

7 Plaintiff was exposed to asbestos from Defendants' products while employed as
8 a laborer and as he worked his way up to foreman for Dillingham Corporation from
9 approximately the early 1970s to mid 1980s for Dillingham Ship Repair located in
10 Portland, Oregon.
11

12 9.

13 Plaintiff was exposed to asbestos from Defendants' products while employed as
14 a hands-on foreman and senior foreman for Cascade General Inc. from approximately
15 the mid 1980s to late 1990s at various locations, including but not limited to the shipyard
16 in the Swan Island section of Portland, Oregon.
17

18 10.

19 Plaintiff was exposed to asbestos from Defendants' products while employed as
20 a hands-on foreman for Marcom from approximately the late 1990s through early 2000s
21 at the Marcom shipyard in Portland, Oregon.
22

23 11.

24 Plaintiff was exposed to asbestos from Defendants' asbestos-containing friction
25 products during various times throughout his life while performing maintenance, working
26 on motors, transmissions, clutches and changing the brakes on his personal vehicles

1 and family's vehicles in Oregon from approximately the late 1960s to the early 2000s.
2 These activities exposed Plaintiff to asbestos from those Defendants identified as
3 manufacturers, distributors, and sellers of brake, clutch, transmission, and gasket
4 products.

5
6 12.

7 During the course of Plaintiff Richard D. Long's employment at the locations
8 mentioned above, and during non-occupational work projects and in other ways, Plaintiff
9 was exposed to and inhaled, ingested, or otherwise absorbed airborne asbestos fibers,
10 either through handling asbestos and asbestos-containing materials in the performance
11 of his work, being exposed to airborne asbestos dust and fibers created by workers who
12 handled, installed or fabricated asbestos-containing materials, or who were exposed to
13 those materials and then exposed Plaintiff to those fibers.

14
15 13.

16 None of Plaintiff's claims herein against any Defendant are for exposures at any
17 United States governmental sites or enclaves, or under the direction of any United
18 States government employee, administration, or contractor.

19
20 14.

21 Defendants who manufactured, sold, and distributed machinery at locations
22 where Plaintiff was present:

- 23 a) sold machinery with asbestos-containing materials including gasket, packing,
24 cloth, and/or insulation material;
25 b) required the use of asbestos-containing gasket, packing, cloth, and/or insulation
26 material for repair, maintenance and/or installation of their products; and/or

1 c) knew or should have known that asbestos-containing gasket, packing, cloth,
2 and/or insulation materials would be used in the repair, maintenance and/or installation
3 of their products.
4

5 15.

6 Plaintiff was diagnosed with mesothelioma and learned of its connection and
7 causation by exposure to asbestos, less than 2 years prior to filing this matter.

8 16.

9 Defendants' asbestos-containing products and materials released respirable
10 asbestos fibers capable of causing mesothelioma if inhaled by individuals, including the
11 Plaintiff.

12 17.

13 Defendants who manufactured, sold, and/or distributed masks, respirators,
14 and/or other respiratory protective equipment used by Plaintiff failed to protect from
15 inhalation of respirable asbestos fibers capable of causing disease if inhaled by
16 individuals, including the Plaintiff, making the products unreasonably dangerous.

17 18.

18 Defendants' products were unreasonably dangerous and defective in that:

19 (a) The Defendants did not provide sufficient warnings and/or instructions of the
20 harm caused by exposure to asbestos from use of Defendants' products;

21 (b) Defendants' products were capable of causing disease including mesothelioma
22 if asbestos was inhaled by individuals, including the Plaintiff, in their work places,
23 including those set forth above.

24 (c) Individual workers, including the Plaintiff, were not warned to utilize proper
25 respiratory protection to protect them from airborne asbestos fibers within their working
26 environment, including those set forth above.

1 (d) Individual workers, including the Plaintiff, were not instructed in how to use
2 Defendants' products to avoid asbestos exposure within their working environment,
3 including those set forth above.
4

5 19.

6 As a foreseeable result of use of Defendants', and each of their, unreasonably
7 dangerous products by Plaintiff and co-workers in his presence, Plaintiff was exposed to
8 asbestos and contracted mesothelioma.

9 20.

10 As a foreseeable result of his mesothelioma from Defendants', and each of their,
11 unreasonably dangerous products, Plaintiff has experienced, experiences, and in the
12 future will experience, pain, mental suffering, emotional distress, and humiliation, and
13 inconvenience and interference with normal and usual activities all to his noneconomic
14 damages in the amounts below in Damages.

15 21.

16 As a foreseeable result of his mesothelioma from Defendants', and each of their,
17 unreasonably dangerous products, Plaintiff has experienced, experiences, and in the
18 future will experience economic damages for reasonable and necessary medical care
19 and loss of services, and lost income in the amounts below in Damages.

20 **SECOND CLAIM FOR RELIEF**
21 **Negligence**

22 22.

23 Plaintiff re-alleges paragraphs 1 through 19.

24 23.

25 Defendants were negligent generally and in one or more of the following
26 particulars:

- (a) The Defendants did not provide sufficient warnings and/or instructions of the harm caused by exposure to asbestos from Defendants' products when the Defendants, prior to the period of the Plaintiff's exposure to asbestos and asbestos-containing products, possessed information concerning the adverse effects and disease-producing capabilities of those products;
- (b) The Defendants failed to withdraw products that exposed users and bystanders to asbestos from the market prior to the Plaintiff's exposure, when the Defendants possessed information concerning the adverse effects and disease-producing capabilities of those products;
- (c) The Defendants failed to determine the level of airborne asbestos fibers emitted by their products when the products were being used;
- (d) The Defendants failed to conduct tests to determine the amount of asbestos to which the Plaintiff, or similarly situated workers, would be exposed, when engaging in the use of the products;
- (e) The Defendants failed to warn individual workers, including the Plaintiff, regarding the hazards associated with the use of the product;
- (f) The Defendants did not withdraw their products from the market after learning their products exposed workers to asbestos; and/or
- (g) The Defendants did not alter the design of their products after learning their products exposed workers to asbestos to a design that would not expose workers to asbestos.

24.

As a foreseeable result of his mesothelioma from Defendants', and each of their, negligence, Plaintiff has experienced, experiences, and in the future will experience, pain, mental suffering, emotional distress, and humiliation, and inconvenience and

1 interference with normal and usual activities all to his noneconomic damages in the
2 amounts below in Damages.

3
4 25.

5 As a foreseeable result of his mesothelioma from Defendants', and each of their,
6 negligence, Plaintiff has experienced, experiences, and in the future will experience
7 economic damages for reasonable and necessary medical care, loss of services, and
8 lost income in the amounts below in Damages.

9 **DAMAGES**

10 26.

11 Plaintiff re-alleges 1-25 above.

12 27.

13 For all claims for relief, Plaintiff asks that the jury include noneconomic damages
14 in its verdict for past, current, and future pain, mental suffering, emotional distress, and
15 humiliation, and inconvenience and interference with normal and usual activities in an
16 amount that is reasonable, fair, and just, not to exceed \$40,000,000.00.

17 28.

18 For all claims for relief, Plaintiff asks that the jury include economic damages in
19 its verdict for past, current, and future reasonable and necessary medical care, loss of
20 services, and lost income in an amount currently unknown, and therefore pled as
21 \$500,000.00 pursuant to ORCP 18 and which will be amended according to proof.

22 29.

23 Plaintiff puts Defendants on notice he intends to seek punitive damages.

24
25 ///

26 ///

1 **WHEREFORE**, for all claims for relief, Plaintiff prays for judgment against
2 Defendants, and each of them, as follows:

- 3 1. Non-economic damages that are fair, reasonable, and just not to exceed
4 \$40,000,000.00;
5 2. Economic damages in a fair reasonable and just amount currently pled as
6 \$500,000.000.
7 3. Plaintiff's costs and disbursements incurred herein.
8 4. Any other costs or relief this court deems necessary, legal or equitable.
9

10 Dated: July 10, 2023

11 **LAW OFFICES OF DEVIN ROBINSON, P.C.**

12 /s/ Devin N. Robinson

13 Devin N. Robinson, OSB No. 064879

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